

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7557 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE S.M.SONI and
MR.JUSTICE Y.B.BHATT

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?

GUJARAT METAL CAST INDUSTRIES LTD

Versus

UNION OF INDIA

Appearance:

MR PARESH M DAVE for Petitioners
MR KETAN A DAVE for Respondent No. 1

CORAM : MR.JUSTICE S.M.SONI and
MR.JUSTICE Y.B.BHATT

Date of decision: 15/10/96

ORAL JUDGEMENT(Per Soni J.)

Rule. Learned Advocate Mr.Ketan Dave waives service of rule for respondents. With the consent of parties' learned Advocates, the matter is heard today.

By this petition, petitioners have challenged the inaction of the Commissioner of Central Excise (Appeals), Ahmedabad at Mumbai in not deciding the stay applications pending hearing of their appeals.

In the facts and circumstances of the case, Commissioner of Central Excise (Appeals), Ahmedabad at Mumbai is directed to decide the stay applications within three months from the receipt of the writ of this court. Till then, respondents are directed not to take any coercive steps for enforcement of the impugned orders. Petitioners are also directed, in the meantime, not to utilise the credit which they may take till the disposal of the stay applications.

Rule made absolute accordingly. No costs.
